



North Carolina Department of Environment and Natural Resources

John E. Skvarla, III

Secretary

February 10, 2014

Rick Bayless

Invista S.A.R.L.

Post Office Box 327

Wilmington, NC 28402-0327

Re: Inactive Hazardous Waste Sites Priority List

Koch North Paraxylene

Wilmington, New Hanover County

Dear Mr. Bayless:

The site listed above has been included on the October 2014 Inactive Hazardous Waste Sites Priority List (Priority List) as required by North Carolina General Statutes 130A-310.2. The Priority List is a list of sites where uncontrolled disposal, spills, or releases of hazardous substances have been identified. The sites are ranked in decreasing order of danger to public health and the environment. This list reflects the site's status at the end of the state fiscal year on June 30, 2014. If your site has since received a "No Further Action" determination or has entered our voluntary cleanup program, you will not receive further letters.

This letter is being sent to you to fulfill our statutory duty to notify those who own, and also those currently known to be responsible for, each contaminated site on the Priority List. A copy of the Priority List with each site's rank appearing in the right-hand column is available at <http://portal.ncdenr.org/web/wm/sf/sfavailabledocs> under the Site Inventory heading. This list is in alphabetical order by site name to make it easier for you to locate your score and rank. The scoring is on a 0 to 100 point scale. The higher scores indicate higher risk.

Any person or entity responsible for the contamination that has not already done so, must conduct the initial abatement actions required under North Carolina groundwater quality regulations (15A NCAC 2L).

1646 Mail Service Center, Raleigh, North Carolina 27699-1646

Phone: 919-707-8200 \ Internet: <http://portal.ncdenr.org/web/wm>
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Under these regulations, any person conducting or controlling an activity which causes discharge of a waste or hazardous substance to groundwater must take immediate action to stop and control the discharge, and address any hazards from the contaminants. If groundwater has become contaminated as a result of the discharge, the responsible party must take immediate action to eliminate the sources of contamination. State approval of the contaminant cleanup should be coordinated with our office. Failure of a responsible party to take the initial discharge abatement steps required in 15A NCAC 2L may result in the assessment of a civil penalty or other enforcement action against that responsible party.

Further work beyond controlling the discharge may also be required depending on the hazards posed by the contamination. Any responsible party or property owner that would like to complete cleanup of the site would need to participate in the Inactive Hazardous Sites Branch's voluntary cleanup program and enter into an administrative agreement with the Branch to receive state approval and delisting of the site. The first step is to complete a Site Conditions Questionnaire found at <http://portal.ncdenr.org/web/wm/sf/ihs/home> and send it to our office.

Depending on the risks posed by the site, the oversight and approval of the cleanup action will either by state staff or through a private environmental consulting firm approved by the branch to certify cleanup actions. More information on the privatized approval portion of our voluntary cleanup program can be found at <http://portal.ncdenr.org/web/wm/sf/ihs/recprogram> or you can contact our Registered Environmental Consultant Program manager, Kim Caulk at (919) 707-8350.

If you have any questions, please contact Bruce Parris, Western Unit Regional Supervisor at (704) 235-2185, Qu Qi, Central Unit Regional Supervisor at (919) 707-8213, John Walch, Eastern Unit Regional Supervisor at (919) 707-8356 or me at (919) 707-8327. To determine which region your site is located, you can view a Branch regional map at <http://portal.ncdenr.org/web/wm/sf/ihs/ihsregmap>. Those who are interested in reviewing our files on any site (available online) can access them by going to <http://portal.ncdenr.org/web/wm/sf/ihs/home> and then clicking on the link labeled File Access Online found on the left side of the screen. You may also contact Scott Ross at (919) 707-8272, if you do not have access to the internet and would like to schedule an appointment to access the files or to request a copy of the Priority List be mailed to you.

Sincerely,

A handwritten signature in black ink that reads "Charlotte V. Jesneck". The signature is written in a cursive, flowing style.

Charlotte V. Jesneck, Head

Inactive Hazardous Site Branch

Superfund Section

CVJ/slbb(SPLMERGELTR_2014.DOCX)